

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

1-3 (canceled)

4. (currently amended) A DNA construct comprising a DNA molecule and transcriptional and translational regulatory sequences operably linked to the DNA molecule, the DNA molecule being modified from a form encoding a nucleocapsid protein of an L serogroup *Tospovirus* to be capable of transcription to a nontranslatable messenger RNA that does not translate to a said nucleocapsid protein of an L serogroup *Tospovirus* wherein, when the DNA construct is transformed into a plant cell, the DNA molecule is transcribed into the nontranslatable messenger RNA which exists at low level density readings of 15-50 as measured using a scanner and image analysis program.

5. (previously presented) The DNA construct according to claim 4, wherein the L serogroup *Tospovirus* is selected from the group consisting of TSWV-10W and TSWV-BL.

6. (previously presented) A recombinant DNA expression system comprising an expression vector into which is inserted the DNA construct according to claim 4.

7. (previously presented) A plant cell transformed with the DNA construct according to claim 4.

8. (previously presented) A transgenic plant transformed with the DNA construct according to claim 4.

9. (currently amended) A method of treating conferring resistance to an L serogroup *Tospovirus* to a plant cell comprising:

transforming a plant cell with the DNA construct according to claim 4
and

transcribing the DNA molecule under conditions effective to maintain the messenger RNA in the plant cell at low level density readings of 15-50, as measured using a scanner and image analysis program, wherein the plant cell acquires resistance to an L serogroup *Tospovirus*.

10-18. (canceled)

19. (previously presented) The method according to claim 9 wherein the L serogroup *Tospovirus* is TSWV-10W or TSWV-BL.